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UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No.

501.26244CC7

First Inventor

MURATA, et al.

Title

**SEMICONDUCTOR INTEGRATED CIRCUIT DEVICE HAVING
SWITCHING MISFET AND CAPACITOR ELEMENT AND
METHOD OF PRODUCING THE SAME, INCLUDING WIRING
THEREFOR AND METHOD OF PRODUCING SUCH WIRING**

Express Mail Label No.

(Only for new nonprovisional applications under 37 CFR 1.53(b))

APPLICATION ELEMENTS

SEE MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

- ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status
See 37 CFR 1.27.
3. ☒ Specification [Total Pages: 117]
(preferred arrangement set forth below)
- Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Pages: 21]
5. Oath or Declaration [Total Pages: 3]
- a. ☐ Newly executed (original or copy)
- b. ☒ Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
- i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
Named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)
6. ☐ Application Data Sheet See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on
- i. ☐ CD-ROM or CD-R (2 copies), or
- ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & documents(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure ☐ Copies of IDS Citations
Statement (IDS)/PTO-1449
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent
17. ☒ Other. **Claim for Priority-Terminal Disclaimer-Credit Card Payment Form**

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. 09/915,590

Prior application information: Examiner: _____ Group Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

020457

(Insert Customer No. or Attach bar code label here)

or ☐ Correspondence address below

Name

ANTONELLI, TERRY, STOUT & KRAUS, LLP

Address

City

State

Zip

Code

Country

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(703) 312-6600

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Name

William I. Solomon

Registration No. (Attorney/Agent)

28,565

Signature

William I. Solomon

Date

December 3, 2001

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**FEE TRANSMITTAL
for FY 2002**

Patent fees are subject to annual revision.

Complete if Known

Application Number	
Filing Date	December 3, 2001
First Named Inventor	
Examiner Name	
Group Art Unit	
Attorney Docket No.	501.26244CC7

TOTAL AMOUNT OF PAYMENT (\$) 850.00**METHOD OF PAYMENT**

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit overpayments to:
Deposit Account Number **01-2135**
Deposit Account Name **Antonelli, Terry, Stout & Kraus, LLP**
☐ Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17
☐ Applicant Claims small entity status
See 37 CFR 1.27

2. ☒ Payment Enclosed:
☐ Check ☒ Credit Card ☐ Money Order ☐ Other

FEE CALCULATION**2. BASIC FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Entity Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	\$740.00
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) \$740.00**1. EXTRA CLAIM FEES**

	Extra Claims	Fee from below	Fee Paid
Total Claims 7 -20**	=	x	=
Indep. Claims 3-3**	=	x	=
Multiple Dependent			=

Large Fee Code	Entity Fee (\$)	Small Entity Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$

**or number previously paid, if greater, For Reissues, see above

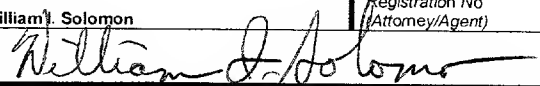
FEE CALCULATION (continued)

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examination action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	For each additional invention to be examined (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) Terminal Disclaimer \$110.00

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 110.00**SUBMITTED BY****Complete (if applicable)**

Name (Print/Type)	William I. Solomon	Registration No (Attorney/Agent)	28,565	Telephone	
Signature		Date	12/03/2001		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U S Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Assistant Commissioner for Patents, Washington, DC 20231

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: MURATA, et al.

Serial No.: (Continuation application of Serial No. 09/915,590, filed July 27, 2001)

Filed: December 3, 2001

For: SEMICONDUCTOR INTEGRATED CIRCUIT DEVICE
HAVING SWITCHING MISFET AND CAPACITOR
ELEMENT AND METHOD OF PRODUCING THE SAME,
INCLUDING WIRING THEREFOR AND METHOD OF
PRODUCING SUCH WIRING

TERMINAL DISCLAIMER

Assistant Commissioner for Patents
Washington, D.C. 20231

December 3, 2001

Sir:

Petitioner, Hitachi, Ltd., having its place of business at 6, Kanda Surugadai 4
chome, Chiyoda-ku, Tokyo 100, Japan, represents that it is the sole owner of the
entire interest of the above-identified application filed on even date (December 3,
2001) as a Continuation application of application Serial No. 09/915,590, filed July
27, 2001 for SEMICONDUCTOR INTEGRATED CIRCUIT DEVICE HAVING
SWITCHING MISFET AND CAPACITOR ELEMENT AND METHOD OF
PRODUCING THE SAME, INCLUDING WIRING THEREFOR AND
METHOD OF PRODUCING SUCH WIRING, and that the Assignment of all

rights in connection therewith has been recorded at Reel 6072, Frame 204 and 205, on April 6, 1992.

Petitioner hereby disclaims all that portion of the term of any patent to be issued on the above-identified application subsequent to the expiration date of the full statutory term, defined in 35 U.S.C. 154 to 156 and 173, of U.S. Patent No. 6,281,071 issued August 28, 2001, and hereby agrees that any patent issued on the above-identified application shall be enforceable only for and during such time as the said U.S. Patent No. 6,281,071 and the above-identified application are commonly owned.

Petitioner, however, does not disclaim the terminal part of any patent granted on the instant application prior to the expiration date of the full statutory term, defined in 35 U.S.C. 154 to 156 and 173, of the above-listed U.S. Patent No. 6,281,071, in the event that U.S. Patent No. 6,281,071 expires: for failure to pay a maintenance fee; is held unenforceable; is found invalid; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims cancelled by a reexamination certificate; is reissued; or is otherwise terminated prior to expiration of the above-referred-to full statutory term, except for the separation of legal title as stated above.

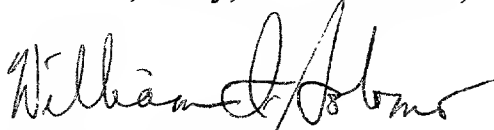
This disclaimer is to be binding with respect to any patent granted on the above-identified application, and is binding upon grantees, their successors, or assignees of any interests.

The undersigned is an attorney of record in this application and is empowered to act on behalf of Hitachi, Ltd. for execution and submission of Terminal Disclaimers, in accordance with the provisions of 37 CFR 1.321(b) and (c), effective January 4, 1994.

The undersigned hereby declares that all statements made herein of his knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine, or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully Submitted,

Antonelli, Terry, Stout & Kraus, LLP



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WIS/slk